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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF DENTISTRY

IN THE MATTER OF

Lloyd Calder, D.D.S.
License No. 22DI 01994100

LICENSED TO PRACTICE DENTISTRY
IN THE STATE OF NEW JERSEY

Administrative Action

FINAL ORDER
OF DISCIPLINE

This matter was opened to the Board of Dentistry ("Board") upon receipt of information which the Board has reviewed and on which the following preliminary findings of fact and conclusions of law are made.

FINDINGS OF FACT

1. Lloyd Calder, D.D.S. ("respondent"), is a dentist in the State of New Jersey and has been a licensee at all times relevant to this order. Respondent's license is currently in active status.

2. On July 10, 2007, respondent entered into an administrative Consent Order in which he acknowledged that he presented written statements to Delta Dental Plan of New Jersey in support of claims for three patients, knowing that the statements contained false information concerning dates of service for procedures performed, which were material to the claims in violation of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 et seq.

He agreed to pay a civil penalty to the New Jersey Department of Banking and Insurance in the amount of \$5,000.00.

CONCLUSION OF LAW

The above findings of fact provide grounds for disciplinary action in this State pursuant to N.J.S.A. 45:1-21(k), as respondent has been subject to an order in an administrative proceeding that imposed civil penalties pursuant to N.J.S.A. 17:33A -1 et seq.

DISCUSSION

Based on the foregoing findings and conclusion, a Provisional Order of Discipline was entered on June 18, 2008. A copy of the Order was forwarded to respondent's address of record by certified and regular mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following its entry unless respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal, setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed, and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefore.

Respondent replied to the Provisional Order in a letter dated July 10, 2008 from his attorney, Matthew B. Wieliczko, Esq., requesting modification or dismissal of the Provisional Order. In the letter, Mr. Wieliczko stated that an active two week suspension would be a financial burden to respondent. Mr. Wieliczko requested that the entire three year suspension be stayed with no active period. In the event the Board was inclined to retain the two week active period of suspension, Mr. Wieliczko requested that it be served in a non-consecutive fashion. Mr. Wieliczko also requested that respondent be allowed to come into the office during the suspension period in order to handle payroll and administrative matters.

Finally, Mr. Wieliczko argued that the facts which gave rise to the OIFP consent order occurred over ten (10) years ago. Respondent reimbursed Delta Dental \$3,500 and also paid a

\$5,000 civil administrative penalty. As a result, Mr. Wieliczko argued that respondent "learned his lesson", and therefore requested that the Board reduce or eliminate the probation and the civil penalty and also eliminate the need for an ethics course.

Respondent's submissions were reviewed by the Board, which did not find the need for further proceedings, as the facts are not in dispute. Nor did the Board find respondent's submission warranted a mitigation of the penalty. The Board determined that the Provisional Order of Discipline is to be finalized as written and should neither be modified or dismissed.

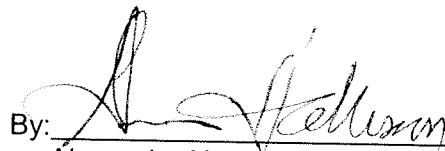
IT IS ON THIS 21st DAY OF November, 2008,

HEREBY ORDERED THAT:

1. The license of Lloyd Calder, D.D.S., to practice dentistry in the State of New Jersey is suspended for a period of three (3) years, of which two weeks shall be served as an active suspension and the remainder stayed and served as a period of probation.
2. Respondent is reprimanded for violating the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 et seq.
3. Respondent shall fully attend, successfully complete, and pass an ethics course within six (6) months of entry of a final order in this matter. Respondent shall complete the ProBE (Professional Problem Based Ethics) course offered by The Ethics Group, 89 Summit Avenue, Suite 185, Summit, New Jersey 07901, the PRIME (Professional Renewal in Medicine through Ethics) course offered by the Center for Continuing Education in the Health Professions at UMDNJ-Robert Wood Johnson Medical School, 97 Paterson Street, Room 124, New Brunswick, New Jersey 08903, or another course of similar content and length approved by the Board. Documentation of full attendance and successful completion of the course shall be provided to the Board.
4. Respondent shall pay a civil penalty in the amount of \$2,000. The \$2,000 penalty shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to Jonathan Eisenmenger, Executive Director, State Board of Dentistry, 124

Halsey Street, Sixth Floor, P.O. Box 45005, Newark, New Jersey 07101, within 14 days of the entry of a final order in this matter.

NEW JERSEY STATE BOARD OF DENTISTRY

By: 
Alexander Hall, D.M.D.
Board President